

Application Serial No.: 09/661,189

Attorney Docket No. 23453-034

In Response to FINAL Office Action mailed February 4, 2004

REMARKS

In response to the Final Office Action (Paper No. 22) mailed February 4, 2004, no claims have been cancelled, amended, or newly added. Therefore, claims 1-20 remain pending. In view of the following comments, allowance of all the claims pending in the application is respectfully requested.

Rejections Under 35 U.S.C. §103

Claims 1-20 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over the combination of U.S. Patent No. 5,721,827 to Logan *et al.* ("Logan") in view of U.S. Patent No. 6,157,705 to Perrone, further in view of Synthetic News Radio, IBM Systems Journal, Vol. 39, Nos. 3 & 4, April 2000, pages 646-659 to Emnet *et al.* ("Emnet"). See Paper No. 22, pg. 4, ¶6. Applicants traverse this rejection for *at least* the reason that Emnet does not qualify as "prior art" under 35 U.S.C. §103(a).

In the Final Office Action, the Examiner concedes that the combination of Logan and Perrone¹ fails to disclose the claimed feature of initiating an outbound communication to a voice service subscriber to commence a voice service session based on the occurrence of a predetermined event specified by the subscriber during a subscription process. The Examiner relies on Emnet, however, to teach this feature. See Paper No. 22, pg. 5.

Applicants note that Emnet has an April 2000 publication date, while the above-identified application claims priority to U.S. Provisional Patent Application Serial No. 60/153,222, filed September 13, 1999. Accordingly, the rejection of claims 1-20 is improper and should be withdrawn.

¹ Applicants submit that there exists no teaching, suggestion, or motivation to combine Logan and Perrone. Assuming arguendo that there was a teaching, suggestion, or motivation to combine the two references, the rejection would still be improper for *at least* the reasons set forth by Applicants in the Response submitted on August 11, 2003.

Application Serial No.: 09/661,189

Attorney Docket No. 23453-034

In Response to FINAL Office Action mailed February 4, 2004

CONCLUSION

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

Date: June 3, 2004

By:


Bradford C. Blaise
Registration No. 47,429

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY, AND POPEO, PC
12010 Sunset Hills Road
Suite 900
Reston, Virginia 20190
(703) 464-4800 (Telephone)
(703) 464-4895 (Facsimile)

RES 116192v1